

Case No. : SIC/NLB 22 2022
Complainant/ Appellant : Smti Bandana Medhi
Respondent : The SPIO, O/o the Circle Officer, Barkhetri
Revenue Circle, Narayanpur, Mukalmua,
Dist. Nalbari, Pin 781126
Date of Hearing : 30/11/2022
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
30/11/2022

1. In continuation of earlier order dated 4.11.2022, the matter was taken up for hearing.
2. The petitioner Smti Bandana Medhi is present. Advocate Taijuddin Ahmed who is representing his client is also present at the hearing.
3. The Public Authority to be represented by SPIO, O/o the Circle Officer, Barkhetri Revenue Circle, Narayanpur, Mukalmua, Dist. Nalbari is absent.
4. The hearing was fixed today on a special request by the SPIO Sri Uday Shankar Dutta, ACS, Barkhetri Revenue Circle on 21.11.2022 (copy enclosed).
5. The Circle Officer of Barkhetri Revenue Circle in disregard to the accepted norm of the Commission wrote by name letter to the Chief Information Commissioner, Assam on 29.11.2022 stating some vague and lame excuse as follows:

Quote I have the honour to inform you that as per instructions of govt. we are to organise special gaonsabha on 2nd December, 2022 for awareness of Mission Basundhara 2.0. In this regard, today, Hon'ble Deputy Commissioner, Nalbari took a meeting with all the Circle Officers and directed to hold preparatory meeting with BDOs, GP President, Secretary, Gaonpradhan etc. on 30th November, 2022.

Therefore, I have the honour to inform you that I will not be able to attend the RTI hearing on 30th November in your chamber. So, I request your honour to grant my leave and request to give another date for the same. *Unquote.*

He has also enclosed a copy of Government of Assam, Revenue(Reforms) & Disaster Management Department, Assam Secretariat (C) Dispur Notification No. RDM-12011 (17)/5/2022-I.R-REV-Rtv-.ue & D.MJ139 -(A) E234314 Dated Dispur the 23.11.2022 which does not show any proposed meeting on 30.11.2022.

6. The Commission is not seeking presence of SPIOs for irrelevant and useless purpose. This is a quasi-judicial process where the attendance of the SPIO is a must unless there is some urgent engagement.
7. **The Commission has decided to hear the matter again. Fix 5.12.2022 at 12:45 PM as the next date of hearing.**
8. **The Commission would like to seek an explanation from the SPIO Sri Uday Shankar Dutta, ACS, Barkhetri Revenue Circle as to why the Commission would not recommend any penalty provision for ignoring the notice of the Commission to appear at the hearing.**

Further the Commission will also take up the 2nd appeal petition of the petitioner with personal reply of the petitioner.

Sd/-
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/NLB 22 2022

Dtd. 30.11.2022

Copy to:

1. The Additional Chief Secretary, Revenue & Disaster Management Department, Dispur for information.
2. Sri Uday Shankar Dutta, ACS, SPIO, O/o the Circle Officer, Barkhetri Revenue Circle, Narayanpur, Mukalmua, Dist. Nalbari for information and necessary action as ordered above. He is to remain present on the next date of hearing.
3. The petitioner Smti Bandana Medhi, D/o. Milan Medhi, Vill. Tegheriattary, P.O. Mukalmua, Dist. Nalbari 781126 for information and necessary action. She is to remain present on the next date of hearing.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar
Assam Information Commission